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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

FILE

10 FEB 1993

IN REPLY REFER TO:
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FEB 12 1993

Honorable Jon Kyl
House of Representatives
Washington, D.C. 20515

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Congressman Kyl:

This is in reply to your letter of January 29, 1993, in which you inquired on behalf of your constituents, Bruce Simons, and Robert J. Oesterlin, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Mr. Simons and Mr. Oesterlin are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

Enclosed: OFI
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Honorable Jon Kyl

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We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituents' concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due February 26, 1993, and Reply Comments are due April 14, 1993. We expect final rules to be issued near the end of 1993. We urge your constituents to file formal comments on all aspects of the proposals.

Sincerely,

A handwritten signature in dark ink, appearing to read "Beverly H. Baker". The signature is written in a cursive, flowing style with a prominent initial "B".

Ralph A. Haller
Chief, Private Radio Bureau

Enclosures:
Notice
Discussion paper
Incoming correspondence

Congressional

DUR: 2-10-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM
02/02/93

LETTER REPORT

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| Congressman | Jon Kyl | BC |

| CONSTITUENT'S NAME | SUBJECT |
|--------------------|-----------------------------------|
| Bruce Simons | inq. comments on PR Docket 92-235 |

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REMARKS:

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PRIVATE BRANCH
F.O.D.

PRO
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372
Congress of the United States

House of Representatives

Washington, D.C.

January 29, 1993

Congressional Liaison
Federal Communications Comm.
Washington, D.C. 20554

Sir/Madam:

The attached communication is sent for your consideration. Please investigate the statements contained therein and forward me the necessary information for reply, returning the enclosed correspondence with your answer.

Yours truly,


JON KYL, M.C.

ATTN:tg



MR. BRUCE SIMONS
7240 N. 10TH AVE.
PHOENIX, AZ. 85021

RECEIVED

JAN 29 1993

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7240 NORTH TENTH AVENUE 3 28 PM '93
PHOENIX, AZ 85021-8019

PRIVATE RADIO BUREAU
F.C.C.

JANUARY 24, 1993

HONORABLE JOHN KYLE
US HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

I HAVE BEEN INTERESTED IN AVIATION FOR AS LONG AS I CAN REMEMBER. I AM VERY ACTIVE IN A LOCAL CLUB WHOSE MEMBERS (WE ARE 235 STRONG) ENJOY CONSTRUCTING AND OPERATING RADIO CONTROLLED MODEL AIRPLANES. THERE ARE ABOUT 16 SUCH CLUBS IN OUR VALLEY OF THE SUN.

I AM WORRIED ABOUT RULES CURRENTLY UNDER CONSIDERATION BY THE FEDERAL COMMUNICATIONS COMMISSION (FCC). THE PROCEEDING IS PR DOCKET 92-235. IF ADOPTED, THE NEW RULES WILL GREATLY REDUCE THE AVAILABILITY OF FREQUENCIES CURRENTLY ASSIGNED FOR MODEL USE AND GREATLY INCREASE THE RISK OF ACCIDENTS AND ATTENDANT LIABILITY FOR CONTROLLING MODEL AIRPLANES

NOW FCC WANTS TO CREATE MORE LAND MOBILE FREQUENCIES BY SPLITTING THEM INTO NARROWER BANDWIDTHS AND REARRANGING THE BAND PLAN. AS A RESULT, MANY LAND MOBILE FREQUENCIES WILL MOVE CLOSER TO THE RADIO CONTROL FREQUENCIES AND CAUSE INTERFERENCE TO RADIO CONTROL OPERATIONS. I AM TOLD THAT OF THE 50 FREQUENCIES THAT ARE PRESENTLY AVAILABLE FOR RADIO CONTROL OF MODEL AIRPLANES, ONLY 19 FREQUENCIES WILL BE LEFT IF THESE NEW RULES ARE ADOPTED

I DO NOT THINK IT IS WISE OF THE FCC TO SEEK TO IMPROVE THE OPERATING CONDITIONS OF LAND MOBILE RADIO USERS AT THE EXPENSE OF RADIO CONTROL MODELERS. THE FCC MAY NOT THINK WE ARE AS IMPORTANT AS BUSINESS USERS OF RADIOS, BUT WE HAVE A CONSIDERABLE INVESTMENT IN OUR MODELS AND IN OUR RADIO EQUIPMENT. THE HOBBY PROVIDES MANY HOURS OF ENJOYMENT TO THOUSANDS OF PEOPLE LIKE MYSELF AND CONTRIBUTES TO THE ADVANCEMENT AND DEVELOPMENT OF THE COMMERCIAL AVIATION INDUSTRY.

PLEASE HELP ME CONTINUE THE SAFE ENJOYMENT OF MY PASTIME BY NOT ALLOWING THE FCC TO CARRY OUT ITS PROPOSALS FOR THE 72-76 MHZ BAND.

SINCERELY,

Bruce Simons

301234
JAN 29 1993

Robert J Oesterlin
13645 Bolero Dr.
Sun City West, AZ 85375

January 18, 1993

Representative Jon Kyl
United States House of Representatives
Washington, DC 20515

Dear Representative Kyl

I am writing this letter to request that you not support
NPRM PR Docket 92-235.

That docket will allow use of radio frequencies which will
interfere with the operation of Radio Controlled Aircraft.
Thousands of people are currently using Systems in that
frequency range to control remotely piloted aircraft. Each
person has invested hundreds to thousands of dollars for
control equipment plus hundreds to thousands of dollars of
aircraft.

These are not toys! These are precision devices which fly
precisely. They fly at speeds up to or over 150 miles per
hour. They are used to fly competitive meets as well as
every day enjoyment. Any radio interference can cause the
aircraft to crash. It's not just an annoyance.

Please do not support NPRM PR Document 92-235!
I would appreciate a reply showing your agreement.

Thank you,



Robert J. Oesterlin